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RM-8086

Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554

In the Matter of

Amendment of § 73.202(b)  
Table of Allotments,  
FM Broadcast Stations  
(Amarillo, Texas)

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FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

To: Chief, Policy and Rules Division  
Mass Media Bureau

**PETITION FOR RULE MAKING  
AND MODIFICATION OF PERMIT**

KAEZ-FM, Inc., permittee to construct new FM Station  
KAEZ(FM), Amarillo, Texas,<sup>1</sup> hereby respectfully requests the  
Commission to issue a Notice of Proposed Rule Making looking  
toward the amendment of Section 73.202(b) of its Rules as  
follows:

<u>Community</u>	<u>Channel Allotment</u>	
	<u>Present</u>	<u>Proposed</u>
Amarillo, Texas	289A	289C3

Petitioner, also requests that simultaneously with the issuance  
of an order making the above-described change in channel  
allotments the Commission issue an order modifying the permit to  
Station KAEZ(FM) to specify operation on the new channel. In

<sup>1</sup> The permittee has constructed its station, commenced  
broadcast operations and filed an application for license to cover  
permit, File No. BLH-911216KB.

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support of these requests, the following is stated:

KAEZ-FM, Inc. presently is serving Amarillo, Texas, and the surrounding area on Class A channel 289A. It wishes to upgrade its facilities on the higher class channel in order to provide a new FM service to a greater area and population and to more efficiently utilize the broadcast spectrum. As shown by the attached Spacing Study of KAEZ-FM, Inc.'s consulting engineer, such upgrade will not conflict with any other existing or proposed FM channel allotment.

Petitioner represents that upon the requested amendment and modification, it will immediately apply to construct the improved facilities proposed in this Petition and will promptly construct those facilities after its application is granted.<sup>2</sup>

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<sup>2</sup> Consistent with Section 1.420(g) of the Rules and Modification of FM Broadcast Licenses to Higher Class Co-Channel or Adjacent Channels, 60 RR2d 114 (1986), no competing expression of interest need be entertained.

In view of the foregoing, it is respectfully submitted that the Commission should issue the Notice of Proposed Rule Making and Modification of Permit as requested herein.

Respectfully submitted,

KAEZ-FM, INC.

By:

  
Eric S. Kravetz

Brown Nietert & Kaufman,  
Chartered  
1920 N Street, N.W., Suite 660  
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(202) 887-0600

Its Attorneys

September 4, 1992  
ESK:labramson.pet

GUY C. HUTCHESON  
ARLINGTON, TEXAS

Page 1  
August 21, 1992

FM Spacing study

Title: JOHN GAY, JR - AMARILLO, TX  
Channel 289C3 (105.7 MHz)  
Database: DW 08/21/92

Latitude: 35-12-28  
Longitude: 101-51-18  
Safety zone: 45 km

Call	Auth	Licensee name	Chan	ERP-kW	Latitude	Br-to	Dist.	Req.
City of License	St	FCC File no.	Freq	EAH-m	Longitude	-from	(km)	(km)
KRBG	CP	MEGAHYPE BROADCASTING PA	235C1	100	35-48-56	62.5	148.8	24
CANADIAN		TX BPH-890615IF	94.9	170	100-23-35	243.4	124.8	CLEAR
CP Granted 12/28/89 per FCC release #20757 dated 01/04/90; ORDERED FROM 276A; Was KEZP 08/19/91 per FCC release #165 dated 08/23/91								

KGRW	CP	LOIS B CRAIN	236A	3	34-39-28	232.7	100.3	12
FRIONA		TX BPH-880628MF	95.1	87	102-43-35	52.2	88.31	CLEAR
Deletion proposed; ORDERED TO 234C2; PET FOR RECON FILED BY 7/9/92; Call Grant ed 04/13/89								

KZQD	CP	ALPHA BROADCASTING, INC.	286C2	50	37-17-39	20.7	248.2	56
LIBERAL		KS BPH-901116MC	105.1	150	100-51-38	201.3	192.2	CLEAR
Deletion proposed; CP Granted 08/13/91 per FCC release #21187 dated 08/19/91; Call Granted 10/04/91 per FCC release #168 dated 10/04/91								

KLSR-FM LIC		HAROLD JAMES DAVIS	287C1	61.3	34-41-13	114.8	136.1	76
MEMPHIS		TX	105.3	23	100-30-23	295.6	60.07	CLEAR
Affiliated with KLSR(AM)								

KLVT-FM LIC		KLVT RADIO INCORPORATED	288A	3	33-34-54	195.5	187.1	89
LEVELLAND		TX	105.5	91	102-23-48	15.2	98.13	CLEAR
Was KHOC 03/08/91 per FCC release #153 dated 03/08/91								

KAEZ	LIC	KAEZ-FM, INC.	289A	6	35-12-28	.0		142
AMARILLO		TX BLH-911216KB	105.7	72	101-51-18	.0	-142	SHORT
License Granted 07/13/92 per FCC release #21422 dated 07/16/92; Call Granted 1 1/15/91 per FCC release #172 dated 11/29/91; Ant: Jampro JLLP-4								

NEW	APP	BRADLEY BROADCASTING LTD	289A	1.55	33-40-57	173.0	170.4	142
IDALOU		TX BPH-901101MJ	105.7	139	101-37-51	353.2	28.45	CLEAR
Amended 05/21/91; Received per FCC release #14867 dated 11/23/90, tendered per 14897 dated 01/07/91, accepted per NA-141 dated 02/12/91; Application dismiss ed 08/29/91 per FCC release #21200 dated 09/05/91; PET FOR RECON FILED 9/30/91								

NEW	APP	TRIUMPH COMMUNICATIONS I	289A	6	33-40-06	173.1	172.0	142
IDALOU		TX BPH-901101MI	105.7	100	101-37-52	353.2	30.00	CLEAR
Received per FCC release #14867 dated 11/23/90, tendered per 14897 dated 01/07 /91, accepted per NA-141 dated 02/12/91								

ALLOC			289A		33-39-48	174.6	172.1	142
IDALOU		TX DOC-89-421	105.7		101-40-42	354.7	30.09	CLEAR
Granted effective 10/01/90, adopted 08/06/90, released 08/15/90; Filing window 10/02-11/01/90 **CLOSED**								

KQTZ	LIC	FUCHS BROADCASTING COMPA	290C	100	34-52-15	98.4	236.7	176
HOB		OK BLH-840806DA	105.9	311	99-17-36	279.9	60.71	CLEAR
Affiliated with KTJS(AM)								

FIG. 1-B

FM Spacing study

Title: JOHN GAY, JR - AMARILLO, TX  
Channel 289C3 (105.7 MHz)

Latitude: 35-12-28  
Longitude: 101-51-18

Call	Auth	Licensee name	Chan	ERP-kW	Latitude	Br-to	Dist.	Req.
City of License	St	FCC File no.	Freq	EAH-m	Longitude	-from	(km)	(km)
NEW	CP	KOLOB BROADCASTING COMPA	291C2	50	32-34-22	215.8	358.1	56
CARLSBAD		NM BPH-910904MB	106.1	150	104-05-32	34.6	302.1	CLEAR
CP Granted 07/06/92 per FCC release #21425 dated 07/21/92								

KPAN-FM LIC	KPAN BROADCASTERS	292A	3	34-47-33	228.7	69.79	42
HEREFORD	TX	106.3	79	102-25-45	48.4	27.79	CLEAR
Deletion proposed; ORDERED TO 292C3; Affiliated with KPAN(AM)							

KPAN-FM CP	KPAN BROADCASTERS	292C3	25	34-47-33	228.7	69.79	43
HEREFORD	TX BPH-900723IF	106.3	67	102-25-45	48.4	26.79	CLEAR
CP Granted 11/27/90 per FCC release #21002 dated 12/04/90; ORDERED FROM 292A; Affiliated with KPAN(AM)							

>> End of channel 289C3 study <<

FIG. 1-C

FM Spacing study

Title: JOHN GAY, JR - AMARILLO, TX  
Channel 289C3 (105.7 MHz)  
Database: FCC 06/23/92

Latitude: 35-12-28  
Longitude: 101-51-18  
Safety zone: 45 km

Call	Auth	Licensee name	Chan	ERP-kW	Latitude	Br-to	Dist.	Req.
City of License		St FCC File no.	Freq	EAH-m	Longitude	-from	(km)	(km)
KRBG	CP	Megahype Broadcasting Pa	235C1	100	35-48-56	62.5	148.8	24
Canadian		TX BPH-890615IF	94.9	170	100-23-35	243.4	124.8	CLEAR
KGRW	CP	Lois B. Crain	236A	3	34-39-28	232.7	100.3	12
Friona		TX BPH-880628MF	95.1	87	102-43-35	52.2	88.31	CLEAR
*To amend to channel 234C2 Per D89-618								
ALLOC			286C2		37-02-30	22.0	220.1	56
Liberal		KS DOC-86-508	105.1		100-55-24	202.6	164.1	CLEAR
Filing window 11/14-11/15/91 **CLOSED** ; Effective 12-5-88								
ALLOC			287C1		34-41-13	114.8	136.1	76
Memphis		TX	105.3		100-30-23	295.6	60.07	CLEAR
Coordinates updated from LIC record BLH840130AD								
KLVT-FM LIC		KLVT Radio, Incorporated	288A	3	33-34-54	195.5	187.1	89
Levelland		TX BLH-791101AD	105.5	91	102-23-48	15.2	98.13	CLEAR
KAEZ	CP	KAEZ-FM, Inc.	289A	6	35-12-28	.0		142
Amarillo		TX BPH-891011MI	105.7	72	101-51-18	.0	-142	SHORT
DOC-91-88								
ALLOC			289A		35-12-30	82.1	.459	142
Amarillo		TX DOC-88-419	105.7		101-51-00	262.1	-142	SHORT
Filing window 09/12-10/12/89 **CLOSED** ; Effective 09-11-89								
NEW	APC	Bradley Broadcasting, L.	289A	1.55	33-40-57	173.0	170.4	142
Idalou		TX BPH-901101MJ	105.7	139	101-37-51	353.2	28.45	CLEAR
Cut-off 03/19/91; Amended 910521-Application Dismissed 910903-Petition For Rec								
onsideration; 910930								
NEW	APC	Triumph Communications,	289A	6	33-40-06	173.1	172.0	142
Idalou		TX BPH-901101MI	105.7	100	101-37-52	353.2	30.00	CLEAR
Cut-off 03/19/91								
ALLOC			289A		33-39-48	174.6	172.1	142
Idalou		TX DOC-89-421	105.7		101-40-42	354.7	30.09	CLEAR
Filing window 10/02-11/01/90 **CLOSED** ; Effective 10-01-90								
PRM	ADD	P & G Communications	290C2		33-15-43	204.3	236.4	117
Plains		TX	105.9		102-54-06	23.7	119.4	CLEAR
Site Restricted 10.8 Km Northwest								
ALLOC			291A		32-23-15	163.9	325.3	42
Colorado City		TX DOC-91-28	106.1		100-53-33	344.4	283.3	CLEAR
Prc sed to Mexico as B on 910425-Accepted by mexico 910917 Site Restricted-Ef								
fec,ve 6-5-92-RSVD For KAUM Per D91-28								

FM Spacing study

Title: JOHN GAY, JR - AMARILLO, TX  
Channel 289C3 (105.7 MHz)

Latitude: 35-12-28  
Longitude: 101-51-18

Call City of License	Auth Licensee name St FCC File no.	Chan Freq	ERP-kW EAH-m	Latitude Longitude	Br-to -from	Dist. (km)	Req. (km)
KPAN-FM LIC Hereford	KPAN Broadcasters TX BLH-7877	292A 106.3	3 79	34-47-33 102-25-45	228.7 48.4	69.79 27.79	42 CLEAR
*To channel 292C3 per D89-272							
ALLOC Hereford	TX DOC-89-272	292C3 106.3		34-47-33 102-25-45	228.7 48.4	69.79 26.79	43 CLEAR
Effective 5-18-90							
KPAN-FM APC Hereford	KPAN Broadcasters TX BMPH-920504IA	292C3 106.3	7 67	34-47-33 102-25-45	228.7 48.4	69.79 26.79	43 CLEAR
KPAN-FM CP Hereford	KPAN Broadcasters TX BPH-900723IF	292C3 106.3	25 67	34-47-33 102-25-45	228.7 48.4	69.79 26.79	43 CLEAR
From channel 292 A per D89-272							

>> End of channel 289C3 study <<

FIG. 1-E